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8 *Counsel for Plaintiff International Fur Trade Federation*

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 INTERNATIONAL FUR TRADE
12 FEDERATION, an unincorporated
13 association;

14 Plaintiff,

15 – against –
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17 CITY AND COUNTY OF SAN
18 FRANCISCO; and

19 DR. GRANT COLFAX, an individual, in
20 his official capacity as Director of the
21 San Francisco Department of Public
22 Health;

23 Defendants.
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Case No. 3:20-cv-00242-RS

**STIPULATION AND [PROPOSED]
ORDER RE BRIEFING AND
HEARING SCHEDULE ON
PENDING MOTIONS**

1 Plaintiff International Fur Trade Federation (“IFF”), on the one hand, and
2 Defendants City and County of San Francisco and Grant Colfax (“Defendants”), on the
3 other (together with IFF, the “Parties”), hereby stipulate as follows:

4 WHEREAS IFF commenced this action with the filing of a complaint (Dkt. 1) on
5 January 13, 2020, and Defendants waived service of summonses (Dkts. 10 & 11) such
6 that their response to the complaint would be due on March 23, 2020;

7 WHEREAS, upon reassignment of this case to the Hon. Richard Seeborg on
8 January 30, 2020, the Court scheduled an in-person case management conference for
9 April 16, 2020 (Dkt. 9);

10 WHEREAS, on March 16, 2020, Defendants filed a motion to dismiss IFF’s
11 complaint (Dkt. 15), which has been scheduled for hearing on April 16, 2020;

12 WHEREAS IFF has indicated that it intends to file a cross-motion for summary
13 judgment to be heard at the same time as Defendants’ motion to dismiss (Tenenbaum
14 Decl. ¶ 5);

15 WHEREAS counsel for the Parties have been conferring about this case over the
16 past several weeks, including about scheduling issues in light of their pre-existing com-
17 mitments as well as various constraints they face under the current circumstances, such
18 as the state and local governments’ recent stay-at-home orders (*id.* at ¶ 2);

19 WHEREAS the Parties wish to continue the hearing on Defendants’ motion to
20 dismiss to no sooner than June 4, 2020, to schedule the hearing on IFF’s intended cross-
21 motion for summary judgment for the same date as Defendants’ motion, and to reset the
22 existing and default briefing schedules to accommodate counsel’s scheduling
23 constraints (*id.* at ¶ 3);

24 WHEREAS the Parties believe the case management conference and prerequisite
25 Rule 26(f) conference of counsel will either be more productive or will be moot if held
26 after the Court rules on the Parties’ potentially dispositive cross-motions (*id.* at ¶ 4);

27 WHEREAS, to avoid the need for a separate stipulation, counsel for the Parties
28 have further stipulated with counsel for the two proposed intervenors (The Humane

1 Society of the United States and Animal Legal Defense Fund) to continue the hearing
2 on their motion to intervene (Dkt. 12) and to reset the briefing schedule in order to
3 accommodate counsel's scheduling constraints while at the same time enabling their
4 motion to be heard on April 30, 2020, so that, in the event that they are permitted to
5 intervene, their intended motion for judgment on the pleadings may be noticed for
6 hearing on the same date as the Parties' potentially dispositive cross-motions (*id.* at
7 ¶ 5); and

8 WHEREAS the Parties have not previously stipulated, and the Court has not
9 previously ordered, any time modifications in this case, and the Parties believe that the
10 requested scheduling will not materially delay the resolution of this case (*id.* at ¶ 6);

11 NOW, THEREFORE, the Parties and the proposed intervenors respectfully
12 request that the Court enter an order on this stipulation which provides as follows:

13 1. The hearing on Defendants' motion to dismiss (Dkt. 15) is rescheduled to
14 **June 11, 2020**; IFF's opposition shall be due by April 16, 2020, and Defendants' reply
15 shall be due by April 30, 2020;

16 2. IFF may notice its intended cross-motion for summary judgment for hear-
17 ing on **June 11, 2020**; IFF's motion shall then be due by April 30, 2020; Defendants'
18 opposition shall be due by May 21, 2020; and IFF's reply shall be due by May 28,
19 2020;

20 3. The hearing on the proposed intervenors' motion to intervene (Dkt. 12) is
21 rescheduled to **April 30, 2020**; any opposition shall be due by April 6, 2020, and any
22 reply shall be due by April 13, 2020; and

23 4. The case management conference shall be continued until a date no earlier
24 than 30 days from the date the Court rules on the Parties' potentially dispositive cross-

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Dated: March 23, 2020

Dated: March 23, 2020

/s/ Michael Tenenbaum

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Counsel for Plaintiff International Fur Trade Federation

/s/Aileen M. McGrath*

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DENNIS J. HERRERA, CITY ATTORNEY

Attorneys for Defendants City and County of San Francisco; and Dr. Grant Colfax, an individual, in his official capacity as Director of the San Francisco Department of Public Health

Dated: March 23, 2020

/s/ Bruce A. Wagman*

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*Attorneys for Proposed Defendant-Intervenors
The Humane Society of the United States and
Animal Legal Defense Fund*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March , 2020

Hon. Richard Seeborg

United States District Judge

1 * Pursuant to Civil L.R. 5-1(i)(3), the filer of this document attests that concurrence
2 in the filing of the document has been obtained from each of the other electronic
3 signatories hereto.